

The motion for default judgment is withdrawn. Defendant shall respond to the Complaint no later than 1/27/22. The parties shall attend a telephonic status/scheduling conference on 2/3/22 at 3:45 pm. If they have not resolved their differences, they should contact my courtroom deputy, Walter Clark (walter\_clark@nysd.uscourts.gov), in advance to obtain a blank scheduling order, confer on dates, and submit a proposed scheduling order to 900 Third Avenue, Suite 2100 • New York, NY 10022-4869 the Court by 2/1/22. The Clerk of Court is respectfully directed to terminate ECF No. 15.



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SO ORDERED.

10, 2022

1/11/22

Via Electronic C CATHY SEIBEL, U.S.D.J.

Honorable Cathy Seibel  
United States District Court  
Southern District of New York  
The Hon. Charles L. Brieant Jr.  
Federal Building and Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *Teamsters Local 456 Funds v. 50/50*  
*Trucking, Inc. et al., Case No. 7:21-cv-07312-CS*

Dear Judge Seibel:

We represent the Plaintiffs in the above referenced action.

In light of disputes as to amounts due, unlikelihood of finalizing a settlement before Friday, and the lenient standard for vacating default motions, we write to withdraw the pending default motion.

We ask that the Court set a deadline for an answer to be filed, and that Friday's conference be rescheduled for a date after the answer deadline so that the Defendants may better explain their disputes, or if not, be deemed an initial conference.

We thank the Court for its consideration.

Respectfully submitted,

*Michael S. Adler*

Michael S. Adler

cc via ECF:  
Donald Cappillino, Esq.